



2005 ASSEMBLY JOINT RESOLUTION 31

April 27, 2005 - Introduced by Representatives SCHNEIDER, JESKEWITZ, HINES, AINSWORTH, HAHN and MUSSER. Referred to Committee on Campaigns and Elections.

1 **To amend** section 2 of article IV, section 4 of article IV, section 5 of article IV and
2 section 26 (2) (b) of article IV; and **to create** section 17 of article XIV of the
3 constitution; **relating to:** terms of office members of the senate and assembly
4 (first consideration).

Analysis by the Legislative Reference Bureau

Presently, the constitution provides that representatives to the assembly are elected to 2-year terms and state senators are elected to staggered 4-year terms.

This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, provides that representatives to the assembly are elected to staggered 4-year terms and senators are elected to staggered 6-year terms. The changes to the length of terms first apply to the terms for which the election in November 2008 is held.

The proposal sets the number of members of the assembly at 99 and the number of members of the senate at 33, which are the current memberships. Currently, the constitution sets the permitted range of the number of seats, not the specific number.

A constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

5 **Resolved by the assembly, the senate concurring, That:**

6 **SECTION 1.** Section 2 of article IV of the constitution is amended to read:

1 [Article IV] Section 2. The number of the members of the assembly shall ~~never~~
2 be less than ~~fifty-four nor more than one hundred 99~~. The number of members of
3 the senate shall consist of a number not more than one-third nor less than
4 ~~one-fourth of the number of the members of the assembly~~ be 33.

5 **SECTION 2.** Section 4 of article IV of the constitution is amended to read:

6 [Article IV] Section 4. The members of the assembly shall be ~~chosen biennially,~~
7 ~~by single~~ elected from single-member districts, on the Tuesday succeeding the first
8 ~~Monday of November in even-numbered years.~~ The assembly districts shall be
9 numbered in the regular series, and the representatives shall be chosen on a partisan
10 ballot in each even-numbered year at the general election, alternately from the
11 odd-numbered and even-numbered districts, for the term of 4 years, by the qualified
12 electors of the several districts, such districts to be bounded by county, precinct, town,
13 or ward lines, to consist of contiguous territory and be in as compact form as
14 practicable.

15 **SECTION 3.** Section 5 of article IV of the constitution is amended to read:

16 [Article IV] Section 5. The senators shall be elected ~~by single~~ from
17 ~~single-member~~ districts of convenient, contiguous territory, at the same time and in
18 ~~the same manner as members of the assembly are required to be chosen; and no~~
19 ~~assembly district shall be divided in the formation of a senate district~~ whole
20 assembly districts. The senate districts shall be numbered in the regular series, and
21 one-third of the senators shall be chosen alternately from the odd and
22 ~~even-numbered districts~~ on a partisan ballot in each even-numbered year at the
23 general election, for the term of 4 6 years.

24 **SECTION 4.** Section 26 (2) (b) of article IV of the constitution is amended to read:

1 [Article IV] Section 26 (2) (b) Any increase in the compensation of members of
2 the legislature shall take effect, for all senators and representatives to the assembly,
3 after the next general election beginning with the new ~~assembly term~~ biennial
4 session of the legislature.

5 **SECTION 5.** Section 17 of article XIV of the constitution is created to read:

6 [Article XIV] Section 17 (1) The changes to sections 2, 4, 5, and 26 (2) (b) of
7 article IV made by this amendment to the constitution lengthening the terms of
8 legislators first apply to the November 2008 general election and to the term of office
9 of the members elected at that election.

10 (2) The term of each senator in office on the day preceding the first Monday of
11 January in 2009 who was elected for a term expiring in January 2011 expires with
12 the end of the day preceding the first Monday of January in 2011.

13 (3) Notwithstanding section 5 of article IV, the term of a senator elected at the
14 November 2008 general election to senate district 1, 4, 7, 10, 13, 16, 19, 22, 25, 28,
15 or 31 shall be for 2 years and the term of a senator elected at the November 2008
16 general election to district 2, 5, 8, 11, 14, 17, 20, 23, 26, 29, or 32 shall be for 4 years.

17 (4) Notwithstanding section 5 of article IV, the term of a senator elected at the
18 November 2010 general election to senate district 2, 5, 8, 11, 14, 17, 20, 23, 26, 29,
19 or 32 shall be for 2 years and the term of senator elected at the November 2010
20 general election to district 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, or 33 shall be for 4 years.

21 (5) Notwithstanding section 4 of article IV, the term of a representative elected
22 at the November 2008 general election to an even-numbered district shall be for 2
23 years and the term of a representative elected at the November 2008 general election
24 to an odd-numbered district shall be for 4 years.

25 **SECTION 6. Numbering of new provision.**

